

Tuesday, October 22, 2013

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Adam Hill, Caren Ray, Debbie Arnold and Acting Chairperson
Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

(The Agenda is amended, per the addendum to the agenda, to set time for the Introduction of the Cattleman of the Year by the Cattlemen’s Association. This will take place following Item No. 21, just prior to adjournment. Following adjournment, the Board will proceed to the Madonna Inn for the Cattlemen’s Association luncheon, (Government Code, section 54952.2(c)(4)). Requirements of the Brown Act have been satisfied as this notice was posted prior to the 72-hour noticing requirement.)

Consent Agenda – Review and Approval:

1-15. This is the time set for consideration of the Consent Agenda.

Acting Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 15 on the following vote is indicated for each item.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Bid Opening:

- 1. Request to adopt plans and specifications (Clerk’s File), and authorize public bidding for construction improvements for the Animal Services Addition and renovation located at 885 Oklahoma Avenue, San Luis Obispo, CA. Set bid opening date for Thursday November 21, 2013, and approve the incorporation of specified materials, products and control systems.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Board of Supervisors Items:

- 2. Request to appoint Tracy Schiro to replace Don Dennison on the Children and Families Commission for the remainder of his four (4) year term.

This item is amended by replacing the attachment to add pages that were left out in error. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

- 3. Request to re-appoint Terry Fibich and Steve Flood to the Arroyo Grande Cemetery District.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Clerk-Recorder Items:

4. Submittal of a resolution approving the Conflict of Interest Code for the Consolidated Office of Auditor-Controller-Treasurer- Tax Collector-Public Administrator.

Ms. Julie Rodewald – County Clerk-Recorder: replaces Exhibits A and B to correct minor clerical errors.

This item is amended by replacing Exhibits A and B to correct minor clerical errors. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board. RESOLUTION NO. 2013-251, adopted as amended.

Consent Agenda - District Attorney Items:

5. Request to authorize the District Attorney to sign a grant renewal agreement (Clerk's File) in the amount of \$125,000, on the Board's behalf, with the California Office of Emergency Services (Cal OES) for the continuing administration of an Underserved Victim Advocacy and Outreach (UV) Program serving elder victims of crime for FY 2013-14.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - General Services Agency Items:

6. Submittal of a resolution amending the Position Allocation List for Fund Center 113 – General Services Agency by deleting a 1.00 FTE Buyer I or II and adding a 1.00 FTE Senior Buyer, approving the new classification of Senior Buyer and setting salary range.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-252, adopted.

7. Request to create a new capital project to update the Airport Layout Plan for the San Luis Obispo County Regional Airport and authorize a budget adjustment in the amount of \$333,325 from a Federal Aviation Administration (FAA) grant and \$34,340 from the Airport Enterprise. District 3.

This item is amended by correcting the subject line and recommendation on the agenda transmittal and staff report to include reference to a Runway Protection Zone study as part of the creation of the Airport Layout Plan capital improvement project. Further, the Board approves as recommended by the County Administrative Officer and as amended by this Board.

8. Request to approve a budget adjustment from Fund Center 305 Parks Contingencies in the amount of \$264,000 and Designated Park Project Reserves in the amount of \$246,000, to Fund Center 230 Capital Projects, for the project to Restore Cayucos Pier in the total amount of \$510,000. District 2.

Ms. Pandora Nash-Karner – District 2 Parks and Recreation Commissioner; and Mr. Greg Bettencourt: speak.

The Board approves as recommended by the County Administrative Officer.

9. Request to approve documents that will allow the Juvenile Hall Expansion project to move through the State Public Works Board process, including: adoption of a resolution confirming the legal right and power of the Board to enter into a ground lease agreement, approval of the SB81 State Ground Lease Agreement (Clerk's File), approval of the Right of Entry Agreement (Clerk's File), and approval a Grant of Easement (Clerk's File) for State access to the leased site through County properties; and a request to delegate approval authority to the General Services Agency Director for all future minor and incidental agreements of documents for this project.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-253, adopted.

Consent Agenda - Health Agency Items:

10. Request to approve renewal contracts (Clerk's File) with the incorporated communities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Pismo Beach, Paso Robles, and San Luis Obispo for a three year term to provide animal care and control services within these communities.

The Board approves as recommended by the County Administrative Officer.

11. Submittal of a resolution commending Lisa Willis for her retirement after 13 years of service to the County of San Luis Obispo.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-254, adopted.

Consent Agenda - Public Works Items:

12. The following map has been received and has satisfied all the conditions of approval that were established in the public hearing on the tentative map, Tract 2791, a proposed subdivision resulting in 5 lots by Linda Louise Shephard, Trustee of the Larry and Linda Shephard Trust, Nipomo. District 4.

The Board approves as recommended by the County Administrative Officer.

13. Submittal of a resolution authorizing execution of notice of completion and acceptance for the Vineyard Drive Bike Lanes from Bethel Road to Ashton Way in Templeton. District 1.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-255, adopted.

14. Submittal of a resolution authorizing the Director of Public Works to enter into environmental processing agreements with other public agencies. All Districts.

Mr. Eric Greening: speaks.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-256, adopted.

Consent Agenda Public Works - Board Sitting as Flood Control District:

15. Submittal of a resolution adopting a policy governing bid protests and other challenges to construction contracts of the San Luis Obispo County Flood Control and Water Conservation District. All Districts.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2013-257, adopted.

Presentations:

16. Submittal of a resolution recognizing William Castellanos for being selected by The Community Foundation San Luis Obispo County to receive the Isabel P. Ruiz Humanitarian Award for 2013.

Ms. Janice Fong Wolf - The Community Foundation San Luis Obispo County Grants & Programs Director; Mr. David Ruiz - son of Isabel Ruiz; and Mr. William Castellanos: speak.

RESOLUTION NO. 2013-258, a resolution recognizing William Castellanos for being selected by The Community Foundation San Luis Obispo County to receive the Isabel P. Ruiz Humanitarian Award for 2013, adopted.

Motion by: Frank R. Mecham
Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			

Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Public Comment Period:

17. This is the time set for members of the public wishing to address the Board on matters not scheduled on the agenda.

Mr. Eric Greening: discusses the matter of spent fuel at the Diablo Canyon Power Plant; states the Nuclear Regulatory Commission (NRC) meeting has been rescheduled to November 20, 2013.

Dr. C. Hite - World Community Workshop: speaks to a citizen's complaint and a public records request she filed with the County.

Ms. Jeannette Watson: presents and discusses a handout regarding the impacts the Diablo Canyon Power Plant has on the County's economy.

Mr. Ben DiFatta; Ms. Julie Tacker; Mr. Richard Margetson; and Ms. Linde Owen (photographs): address various concerns relating to the Los Osos Wastewater Project (LOWWP). Additionally, Ms. Tacker, comments on the recent Healthy Communities Workshop.

Ms. Gretchen Clark; Mr. Lou Tornatzky; and Ms. Lynette Tornatzky: thanks the Board and staff for their ongoing efforts with the LOWWP. **No action taken.**

Board Business:

18. An update on State Legislative activities by Paul Yoder and Karen Lange, Shaw/Yoder/Antwih, Inc. and Peterson Consulting, Inc. All Districts.

Mr. Paul Yoder - Shaw/Yoder/Antwih, Inc. and Peterson Consulting, Inc.: provides an update on State Legislative activities.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Eric Greening: speaks. **No action taken.**

19. Request for an authorization to process a Land Use Ordinance Amendment application (LRP2011-00017 – Green Canyon LLC) to amend Section 22.112.040 of the South County (Inland) Planning Area Standards to eliminate a restriction on grazing animals on a 22-acre site located at the southern terminus of Woodhaven Way along Sunnybrook Lane, approximately 2 miles southwest of the community of Nipomo. District 4.

Acting Chairperson Gibson: opens the floor to public comment.

Mr. Christopher Helenius - Applicant: speaks.

The Board authorizes the application for processing as requested to amend Section 22.112.040.G.11 of the Land Use Ordinance to allow grazing animals on the project site.

Motion by: Caren Ray

Second by: Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Hearings:

20. Hearings to consider two proposals to amend existing agricultural preserves. Districts 1 and 4.

Ms. Nancy Orton – Planning and Building: states the Marderosian proposal (AGP2013-0001) has been withdrawn at the request of the applicant.

Acting Chairperson Gibson: opens the floor to public comment without response.

RESOLUTION NO. 2013-259, a resolution establishing an agricultural preserve pursuant to the California Land Conservation Act of 1965, adopted.

Motion by: Frank R. Mecham
Second by: Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Hill, Adam (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

21. Hearing to consider a resolution amending the 2009, 2010, 2011, 2012 and 2013 Action Plans for HUD grants, allocations of General Fund Support and Social Services funds for Homeless Services.

SUPERVISOR HILL RECUSES HIMSELF ON THIS ITEM AND IS NOW ABSENT.

Mr. Dana Lilley – Planning and Building: replaces Attachment 2 – Exhibit A Program Year 2013 Action Plan Funding Recommendations.

Acting Chairperson Gibson: opens the floor to public comment.

Ms. Pearl Munak – Transitional Food & Shelter, Inc. President; Ms. Susan Warren - North County Connection; Mr. James Patterson; Mr. Steve Tanaka; Wallace Group and San Miguel Community Services District (CSD) District Engineer; Mr. David Bentz; Mr. Bill Watt – El Camino Homeless Organization (ECHO) Executive Director; Mr. Till Moen - ECHO President (powerpoint); and Ms. Tina Salter - ECHO: speak.

The Board approves the final funding levels under the Community Development Block Grant program (CDBG), HOME Investment Partnerships program (HOME) and the Emergency Solutions Grant program (ESG) as shown Attachment 2- Exhibit “A”; approves the allocations of \$180,000 of FY2013-14 General Fund Support for Homeless Services as shown in Table 3; approves the allocations of \$21,028 of Realignment Trust Funds from the Department of Social Services for Homeless Services as shown in Table 5; approves the reallocations of CDBG funds for the City of Atascadero and the City of Paso Robles; approves the allocation of CDBG funds for the ECHO’s rehabilitation project as shown in Table 6; approves the allocation of CDBG program income to the 16th Street Sewer Line project by the San Miguel Community Services District as shown in Table 7; and approves the budget adjustment request to: (1) amend Fund Center 290 by including \$21,028 in Realignment Trust Funds and (2) approve transfer from Fund Center 180 (Department of Social Services) to Fund Center 290. Furthermore, RESOLUTION NO. 2013-260, a resolution approving and authorizing submittal of proposed amendments to the 2009, 2010, 2011, 2012, and 2013 Action Plans of the Urban County of San Luis Obispo’s 2010 Consolidated Plan for the Community Development Block Grant (CDBG) Homes Investment Partnerships (HOME) and Emergency Solutions Grants (ESGP) Programs, adopted as amended.

Motion by: Debbie Arnold
Second by: Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Gibson, Bruce S. (Acting Chairperson)	x			

Mecham, Frank R. (Board Member)	x			
Ray, Caren (Board Member)	x			
Arnold, Debbie (Board Member)	x			

Introduction of Cattleman of the Year:

22. This is the time set to Introduce the Cattleman of the Year by the Cattlemen's Association.

(This item is added to agenda, per the addendum to the agenda.)

SUPERVISOR HILL IS NOW PRESENT.

Mr. Steve Johns - Cattleman’s Association: introduces Kevin Kester as the 2013 Cattleman of the Year.

Mr. Kester: speaks. **No action taken.**

THE BOARD ADJOURNS FOR LUNCHEON AT THE MADONNA INN.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, October 22, 2013, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: October 22, 2013